



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/557,264 | 04/24/2000 | Glen Kazumi Okita | 02365.P0015 | 8596 |

21186 7590 08/19/2005

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402-0938

EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT

PAPER NUMBER

2676

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/557,264

Applicant(s)

OKITA ET AL.

Examiner

Gregory F. Cunningham

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-46 is/are pending in the application.
- 4a) Of the above claim(s) 34-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/25/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications of amendment received 5/25/2005.
2. The disposition of the claims is as follows: claims 27-46 are pending in the application. Claims 27, 34, and 41 are independent claims. Claims 1 - 26 have been cancelled. Claims 28 - 46 are newly added.

Election/Restrictions

3. Newly submitted claims 34-46 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Original claims 1-27 drawn to displaying information with workflow, classified in class 345, subclass 629; whereas claims 34-40 are drawn to process identification (identifying workflow associated transaction of a call center), classified in class 379, subclass 245; and claims 41-46 are drawn to workflow editor and workflow engine, classified in class 715, subclass 530; and class 700, subclass 87.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 34-46 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2676

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 27-33 are rejected under 35 U.S.C. 102(e) as being disclosed by Hoyer et al., (US Patent 6,243,105 B1).

A. Claim 27, “A method of displaying information relating to a workflow driven by a computer system comprising:

executing the workflow [col. 3, lns. 22-31; lns. 39-47], the workflow implementing business rules and associated with transactions of a call center [col. 9, lns. 23-28];

calculating execution statistics relating to the execution of the workflow on the computer system [col. 3, lns. 22-31; col. 7, lns. 42-60; col. 9, lns. 40-46];

displaying a workflow diagram on a display screen associated with the computer system [see Fig. 8]; and

displaying a the execution statistics [col. 7, lns. 57-60: see Figs. 7 & 8] on the workflow diagram in real time [col. 11, lns. 24-26], wherein the execution statistics are for various steps displayed in the workflow diagram [See Fig. 8, wherein at 0 seconds corresponds to realtime for the various sequential executions steps occurring], and wherein the execution statistics are selectively displayed by positioning a pointer over the display [col. 18, lns. 37-48]” is disclosed [as detailed].

(Examiner’s note: Both “the execution statistics” and “positioning a pointer over the display” is very broad, whereby pointer can be positioned anywhere on the display and “execution statistics” can relate to any kind of execution statistics.)

Art Unit: 2676

B. Claim 28, “The method of claim 27, wherein displaying the execution statistics further includes displaying the execution statistics as one or more tables that overlay each of the steps [See Fig. 8, wherein ‘Recorded Cluster Data’ and Fig. 7 both correspond to “table”]” is disclosed supra for claim 27 and [as detailed].

C. Claim 29, “The method of claim 28, wherein displaying the execution statistics further includes displaying within the one or more tables as at least one of total execution times for each of the steps and as numbers of executions preformed for each of the steps [wherein Duration corresponds to “total execution time” and ‘Hit Rate’ corresponds to “numbers of executions preformed for each of the steps” and/or col. 8, lns. 37-42]” is disclosed supra for claim 28 and [as detailed].

D. Claim 30, “The method of claim 27, wherein displaying the execution statistics further includes displaying a number of the statistics in at least one of a numbered format and a percentage format [col. 7, lns. 44-60]” is disclosed supra for claim 27 and [as detailed].

E. Claim 31, “The method of claim 27, wherein displaying the execution statistics further includes presenting a number of the steps in a distinguishing color, wherein the distinguishing color is associated with select ones of the statistics [See Figs. 7 and 8, wherein the color happens to be black on white background]” is disclosed supra for claim 27 and [as detailed].

F. Claim 32, “The method of claim 27, wherein displaying the execution statistics further includes identifying the statistics in response to a profile [wherein the URL corresponds to a profile]” is disclosed supra for claim 27 and [as detailed].

G. Claim 33, “The method of claim 27, wherein calculating further includes obtaining metrics to calculate the execution statistics from a database query in response to an identifier

Art Unit: 2676

associated with the workflow [col. 2, lns. 40-45” wherein ‘vertical white line’s position on the time-line scale’ corresponds to “metrics” for calculation]” is disclosed supra for claim 27 and [as detailed].

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Responses

7. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Inquiries

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

Art Unit: 2676

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

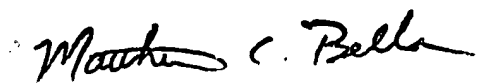
The Central FAX Number is **571-273-8300**. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number. To give customers time to adjust to the new Central FAX Number, faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and **571-273-8300** will be the only facsimile number recognized for "centralized delivery".

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gregory F. Cunningham
Examiner
Art Unit 2676

gfc, 8/5/2005



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600